

MARKED-UP COPY OF AMENDED CLAIMS:

1. (Amended) A data receiving device for receiving compressed digital data distributed through a transmission line, the device comprising:

processing means for processing the received compressed digital data, ~~thereby enabling to enable~~ output of a plurality of output signals of different types;

a plurality of output means, each one corresponding to one of the plurality of output signals ~~processed by the processing means~~; and

control means for carrying out control so that one of the plurality of an output signal ~~signals~~ is outputted from one of the plurality of output means in accordance with the a connection state between each of the output means and an external storage device.

2. (Amended) The data receiving device as claimed in claim 1, wherein the plurality of output means include at least output means for outputting the received compressed digital data without decoding.

3. (Amended) The data receiving device as claimed in claim 1, further comprising:

data expansion means for decoding the received compressed digital data to provide a decoded output signal; and

digital/analog conversion means for digital/analog-converting the decoded output signal to provide an analog output signal ~~of the data expansion means~~;

wherein the plurality of output means include: the device comprising, as the output means:

compressed data output means for outputting the received compressed digital data in the compressed state to the external storage device ~~means~~;

digital data output means for outputting the decoded output signal ~~of the data expansion means~~ to the external storage device ~~means~~; and

analog data output means for outputting the analog output signal ~~of the digital/analog conversion means~~ to the external storage device ~~means~~.

4. (Amended) The data receiving device as claimed in claim 3, wherein the compressed digital data distributed through the transmission line is distributed with additional information multiplexed thereto, and

the additional information is outputted together with the received compressed digital data to the external storage device ~~means in the case where when~~ the compressed data output means is selected, while the additional information is not outputted to the external storage device ~~means when the digital data output means or the analog data output means~~ is selected.

5. (Amended) The data receiving as claimed in claim 3, wherein the control means carries out control so that the connection state between the compressed data output means and the data external storage device is preferentially selected.

6. (Amended) The data receiving device as claimed in claim 1, wherein the compressed digital data distributed through the transmission line is distributed with compressed digital data of a plurality of contents multiplexed thereto, and wherein the processing means arbitrarily selects arbitrary contents thereof ~~can be selected~~.

7. (Amended) The data receiving device as claimed in claim 6, wherein control data ~~controlling a graphical user interface of the data receiving device~~ is multiplexed to the compressed digital data and thus distributed, wherein the processing means uses the control data for performing the arbitrary selection ~~so that the contents are selected by using the graphical user interface control data~~.

9. (Amended) The data receiving device as claimed in claim 8, further comprising:

data expansion means for decoding the received compressed digital data compressed by a first compression system; from among the compressed digital data compressed by the plurality of compression systems, and for providing a decoded output signal; and

digital/analog conversion means for digital/analog-converting the decoded output signal to provide a converted output signal ~~of the data expansion means~~,

wherein the plurality of output means include the device comprising, as the output means:

compressed data output means for outputting, to the external storage means ~~device~~, in the compressed state compressed digital data compressed by a second compression system ~~in the compressed state~~, from among the compressed digital data compressed by the plurality of compression systems;

digital data output means for outputting the decoded output signal ~~of the data expansion means~~ to the external storage device ~~means~~; and

analog data output means for outputting the converted output signal ~~of the digital/analog conversion means~~ to the external storage device ~~means~~.

10. (Amended) The data receiving device as claimed in claim 9, wherein the compressed digital data compressed by the second compression system is compressed on the a time base and then distributed.

11. (Amended) A ~~data receiving method~~ for use in a data receiving device for receiving compressed digital data distributed through a transmission line ~~by a data receiving device and outputting for processing the received compressed digital data for storage in to an~~ external storage device, the method comprising the steps of:

processing the received compressed digital data so that a plurality of output signals of different types can be provided ~~outputted~~ to the external storage device; and

selecting one of the plurality of output signals in accordance with a ~~the~~ connection state between the external storage device and the data receiving device; and

providing ~~outputting~~ the selected output signal to the external storage device.

12. (Amended) The ~~data receiving method~~ as claimed in claim 11, wherein the plurality of output signals of different types include a digital data output signal, an analog output signal and a compressed digital data output signal, the method further comprising the steps of:

~~a digital data output signal obtained by decoding the received compressed digital data to provide the digital data output signal;~~

~~an analog output signal obtained by decoding and digital/analog-converting the received compressed digital data to provide the analog output signal; and~~

providing the received compressed digital data signal as the compressed digital data output signal~~a compressed digital data output signal in the compressed state without decoding the compressed digital data.~~

13. (Amended) The ~~data-receiving method~~ as claimed in claim 12, wherein the compressed digital data distributed through the transmission line is distributed with additional information multiplexed thereto, and wherein the step of providing the received compressed digital data as the compressed digital data output signal includes the step of providing the additional information to the external storage device

~~the additional information is outputted together with the compressed data output signal to the storage means in the case where~~ when the compressed digital data output signal is selected, while the additional information is not outputted to the external storage device~~means~~ when the digital data output signal or the analog output signal is selected.

14. (Amended) The ~~data-receiving method~~ as claimed in claim 12, wherein the compressed digital data output signal is preferentially selected from among the plurality of output signals.

15. (Amended) The ~~data-receiving method~~ as claimed in claim 11, wherein the compressed digital data distributed through the transmission line is distributed with compressed digital data of a plurality of contents multiplexed thereto, and the method further comprising the step of arbitrarily selecting one of the plurality of contents~~arbitrary contents thereof can be selected.~~

16. (Amended) The ~~data-receiving method~~ as claimed in claim 15, wherein control data controlling a graphical user interface of the data-receiving device is multiplexed to the compressed digital data and thus distributed, and wherein the step of arbitrarily selecting one of the plurality of contents includes the step of using the control data for performing the selection~~so that the contents are selected by using the graphical user interface control data.~~

17. (Amended) The ~~data receiving method~~ as claimed in claim 15, wherein the plurality of contents are distributed with compressed digital data multiplexed thereto, the compressed digital data being compressed by a plurality of compression systems.

18. (Amended) The ~~data receiving method~~ as claimed in claim 17, wherein the plurality of output signals of different types include a digital data output signal, an analog output signal and a compressed digital data output signal, the method further comprising the steps of:

~~a digital data output signal obtained by decoding the received compressed digital data compressed by a first compression system; from among the compressed digital data compressed by the plurality of compression systems to provide the digital data output signal;~~

~~an analog output signal obtained by decoding and digital/analog-converting the received compressed digital data compressed by the first compression system to provide the analog output signal; and~~

~~providing the a compressed digital data output signal from the received, which is a direct output of compressed digital data compressed by a second compression system; from among the compressed digital data compressed by the plurality of compression systems.~~

19. (Amended) The ~~data receiving method~~ as claimed in claim 18, wherein the compressed digital data compressed by the second compression system is compressed on a the time base and then distributed.

20. (Amended) A data receiving device for receiving compressed digital data and additional information distributed through a transmission line, the device comprising:

receiving means for receiving the compressed digital data and additional information; and

~~output means for outputting the received compressed digital data and the additional information to a storage device.~~

data expansion means for decoding the received compressed digital data to provided a decoded output signal;

digital/analog conversion means for digital/analog-converting the decoded output signal to provide an analog output signal;

digital data output means for providing the decoded output signal to a storage device;

analog data output means for providing the analog output signal to the storage device;

mixed data means for providing the received compressed digital data and the additional information to the storage device; and

control means for controlling the digital data output means, analog data output means and mixed data means in accordance with a connection state between the data receiving device and the storage device.

26. (Amended) The data receiving device as claimed in claim 23, wherein control data controlling a graphical user interface of the data receiving device is multiplexed and distributed along with the compressed digital data and additional information, and wherein the receiving means uses the control data for selecting a so that the desired tune can be selected by using the graphical user interface control data.

29. (Amended) A data receiving method for use in a data receiving device for receiving compressed digital data and additional information distributed through a transmission line by a data receiving device and outputting the compressed digital data and additional information to an external storage device, the method comprising the steps of:

receiving the compressed digital data and additional information; and

outputting the received compressed digital data and the additional information to the storage device.

decoding the received compressed digital data to provide a digital data output signal;

digital/analog-converting the digital data output signal to provide an analog output signal;

determining a connection state between the data receiving device and a storage device; and

selecting, in accordance with the determined connection state, either (a) the received compressed digital data and additional information, (b) the digital data output signal, or (c) the analog output signal, for storage in the storage device.

34. (Amended) The data receiving method as claimed in claim 32, wherein the digital audio data and the additional information are multiplexed for a plurality of tunes for distribution, and the method further comprising the step of selecting a desired tune from the plurality of tunes ~~can be selected by the receiving means.~~

35. (Amended) The data receiving method as claimed in claim 34, wherein control data controlling a graphical user interface of the data receiving device is multiplexed and distributed along with the compressed digital data and additional information, and wherein the step of selecting a desired tune uses the control data to perform the selection ~~so that the desired tune can be selected by using the graphical user interface control data.~~

REMARKS

Reconsideration of this application as amended is respectfully requested. Claims 1 – 7, 9 – 20, 26, 29, 34 and 35 have been amended; claims 47 – 49 have been inserted; and claims 27, 28, 36 – 39, and 43 – 46 have been canceled. Therefore, claims 1 – 26 and 29 – 35, 40 – 42, and 47 – 49 are in this application and are presented for the Examiner's consideration in view of the following comments.

Applicants have noticed minor errors in FIGs. 16 and 18. Subject to the approval of the Examiner, please amend FIGs. 16 and 18 in this application in the manner indicated in the attached marked-up photocopies of the original figures, marked in red. With respect to corrected FIG. 16, ATRAC decoder 54B provides signals to DAC 56B and SW3, while MPEG audio decoder 54A provides signals to DAC 56A and SW3 (Applicants' specification, page 41, line 20 to page 42, line 10). With respect to corrected FIG. 18, the second MPEG audio decoder should be labeled "54A-2" (Applicants' specification, page 44, lines 11 – 15.) No new matter has been added.

Claims 1 – 46 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,199,076 issued March 6, 2001 to Logan et al. ("*Logan*") in view of U.S. Patent No. 5,841,979 issued November 24, 1998 to Schulhof et al. ("*Schulhof*"). Applicants have amended independent claims 20 and 29, canceled claims 44 – 46, and respectfully disagree with respect to the remaining claims.

Logan describes a method and apparatus for transmitting, via the Internet, program data comprising audio, text, and images to a personal computer for listening and viewing thereof by a user. (*Logan*, col. 8, line 12 to col. 9, line 10.) The personal computer is configured with a sound card 110 and a speaker 113, along with storage elements 107 and 109. (*Logan*, FIG. 1.) Storage element 107 is used to store the program data, while storage element 109 is used to store usage information. (*Logan*, col. 4, lines 33 – 50.)

Schulhof describes a method and apparatus for transmitting audio data at higher data rates and storing the transmitted audio data in compressed form on a storage device for subsequent playback. (*Schulhof*, col. 5, line 13 to col. 6, line 11.)

With respect to Applicants' claims 1 – 46, the Examiner states that *Logan* does not specifically teach "an external storage device or outputting the received compressed data in the compressed state to the storage means." This, the Examiner asserts, is provided by *Schulhof*.

With respect to Applicants' independent claims 1 and 11, Applicants respectfully submit that the Examiner's characterization that *Logan* describes everything in these claims but "an external storage device or outputting the received compressed data in the compressed state to the storage means" – is wrong.

Consider Applicants' independent claim 1. This claim requires a "control means for carrying out control so that an output signal is outputted from one of the plurality of output means in accordance with a connection state between each output means and an external storage device" (emphasis added). Nowhere does *Logan* describe or suggest such an element. Likewise, while *Schulhof* may describe an external storage device – there is no description or suggestion in *Schulhof* of the "control means" of Applicants' claim 1.

Similar comments exist with respect to Applicants' independent claim 11. For example, this claim requires "selecting one of the plurality of output signals in accordance with a connection state between the external storage device and the data receiving device; and providing the selected output signal to the external storage device" (emphasis added). Again, Applicants respectfully submit that neither *Logan* nor *Schulhof*, singly or in combination, describe or suggest this requirement.

Turning now to independent claims 20 and 29, these claims have been amended to include the requirements of dependent claims 27 – 28, and 36 – 37, respectively, which have been canceled. Each of these claims, 20 and 29, require controlling the output signal as a function of a connection state between the data receiving device and a storage device. As noted above, neither *Logan* nor *Schulhof*, singly or in combination, describe or suggest this requirement.

With respect to independent claim 38 and its dependent claim 39, these claims have been canceled without regard to the above rejections and have been re-written as new claims 47 and 48, respectively. Applicants respectfully submit that the requirements of these claims are also patentable over *Logan* in view of *Schulhof*. In particular, independent claim 47 requires "transmitting the stored down-loaded record information to a first destination for use in charging a user for the down-loaded content; and transmitting the stored information to a second destination different from the first destination." While *Logan* certainly describes uploading of the usage data (*Logan*, col. 7, lines 14 – 21), there is no description, or suggestion, of "transmitting the stored down-loaded record information to a first destination for use in charging a user for the down-loaded content; and transmitting the stored information to a second

destination different from the first destination" as claimed by Applicants. Similar comments exist with respect to *Schulhof*.

New independent claim 48 includes limitations similar to those discussed above. For that reason, Applicants submit that claim 48 also patentably distinguishes over the prior art such as to warrant its immediate allowance.

With respect to Applicants' independent claim 40, this claim requires two output signals – one from each of the required data expansion means – such that one output signal is used for monitoring while the other is stored. Again, neither *Logan* nor *Schulhof*, singly or in combination, describe or suggest this requirement. It is noted that *Logan* shows usage data 109 – but this records the nature of the programming reproduced by the player 103 of *Logan* – this is not an output signal from a data expansion means for monitoring as claimed by Applicants.

As a result of the above, Applicants respectfully submit that claims 1 – 26, 29 – 35, 40 – 42, 46 and 47 are patentable over *Logan* in view of *Schulhof*.

Applicants have amended claims 1 – 7, 9 – 19, 34 and 35 to improve their form.

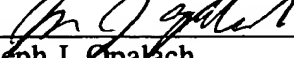
Applicants have briefly reviewed the other prior art references made of record in the Official Action, but not relied upon, and believe them to be no more pertinent to the present invention than as discussed in the present Official Action.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections that the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: June 24, 2002

Respectfully submitted,

By 
Joseph J. Opalach
Registration No.: 36,229
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 518-6363
Attorneys for Applicants